

# Declaration and Power of Attorney for Patent Application Erklärung für Patentanmeldungen mit Vollmacht

## German Language Declaration

Als nachstehend benannter Erfinder erkläre ich hiermit an Eides Statt:

daß mein Wohnsitz, meine Postanschrift und meine Staatsangehörigkeit den im nachstehenden nach meinem Namen aufgeführten Angaben entsprechen, daß ich nach bestem Wissen der ursprüngliche, erste und alleinige Erfinder (falls nachstehend nur ein Name angegeben ist) oder ein ursprünglicher, erster und Miterfinder (falls nachstehend mehrere Namen aufgeführt sind) des Gegenstandes bin, für den dieser Antrag gestellt wird und für den ein Patent für die Erfindung mit folgendem Titel beantragt wird:

Verfahren zum Schutz von Computer-  
Software und/oder computerlesbaren  
Daten sowie Schutzgerät

deren Beschreibung hier beigelegt ist, es sei denn (in diesem Falle Zutreffendes bitte ankreuzen), diese Erfindung

- ☐ wurde angemeldet am \_\_\_\_\_  
unter der US-Anmeldenummer oder unter der  
Internationalen Anmeldenummer im Rahmen des  
Vertrags über die Zusammenarbeit auf dem Gebiet  
des Patentwesens (PCT)  
\_\_\_\_\_ und am  
\_\_\_\_\_ abgeändert (falls  
zutreffend).

Ich bestätige hiermit, daß ich den Inhalt der oben angegebenen Patentanmeldung, einschließlich der Ansprüche, die eventuell durch einen oben erwähnten Zusatzantrag abgeändert wurde, durchgesehen und verstanden habe.

Ich erkenne meine Pflicht zur Offenbarung jeglicher Informationen an, die zur Prüfung der Patentfähigkeit in Einklang mit Titel 37, Code of Federal Regulations, § 1.56 von Belang sind.

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Procedure for the Protection of Computer  
Software and/or Computer-Readable  
Data as well as Protective Equipment

the specification of which is attached hereto unless the following box is checked:

- ☐ was filed on \_\_\_\_\_  
as United States Application Number or PCT  
International Application Number  
\_\_\_\_\_ and was amended on  
\_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

## German Language Declaration

Ich beanspruche hiermit ausländische Prioritätsvorteile gemäß Title 35, US-Code, § 119 (a)-(d), bzw. § 365(b) aller unten aufgeführten Auslandsanmeldungen für Patente oder Erfinderurkunden, oder § 365(a) aller PCT internationalen Anmeldungen, welche wenigstens ein Land ausser den Vereinigten Staaten von Amerika benennen, und habe nachstehend durch ankreuzen sämtliche Auslandsanmeldungen für Patente bzw. Erfinderurkunden oder PCT internationale Anmeldungen angegeben, deren Anmeldetag dem der Anmeldung, für welche Priorität beansprucht wird, vorangeht.

Prior Foreign Applications  
(Frühere ausländische Anmeldungen)

EP 00 118 372.2 Deutschland et al  
(Number) (Country)  
(Nummer) (Land)

(Number) (Country)  
(Nummer) (Land)

Ich beanspruche hiermit Prioritätsvorteile unter Title 35, US-Code, § 119(e) aller US-Hilfsanmeldungen wie unten aufgezählt.

(Application No.) (Filing Date)  
(Aktenzeichen) (Anmeldetag)

(Application No.) (Filing Date)  
(Aktenzeichen) (Anmeldetag)

Ich beanspruche hiermit die mir unter Title 35, US-Code, § 120 zustehenden Vorteile aller unten aufgeführten US-Patentanmeldungen bzw. § 365(c) aller PCT internationalen Anmeldungen, welche die Vereinigten Staaten von Amerika benennen, und erkenne, insofern der Gegenstand eines jeden früheren Anspruchs dieser Patentanmeldung nicht in einer US-Patentanmeldung, bzw. PCT internationalen Anmeldung in in einer gemäß dem ersten Absatz von Title 35, US-Code, § 112 vorgeschriebenen Art und Weise offenbart wurde, meine Pflicht zur Offenbarung jeglicher Informationen an, die zur Prüfung der Patentfähigkeit in Einklang mit Title 37, Code of Federal Regulations, § 1.56 von Belang sind und die im Zeitraum zwischen dem Anmeldetag der früheren Patentanmeldung und dem nationalen oder im Rahmen des Vertrags über die Zusammenarbeit auf dem Gebiet des Patentwesens (PCT) gültigen internationalen Anmeldetags bekannt geworden sind.

(Application No.) (Filing Date)  
(Aktenzeichen) (Anmeldetag)

(Application No.) (Filing Date)  
(Aktenzeichen) (Anmeldetag)

Ich erkläre hiermit, daß alle in der vorliegenden Erklärung von mir gemachten Angaben nach bestem Wissen und Gewissen der Wahrheit entsprechen, und ferner daß ich diese eidesstattliche Erklärung in Kenntnis dessen ablege, daß wissentlich und vorsätzlich falsche Angaben oder dergleichen gemäß § 1001, Title 18 des US-Code strafbar sind und mit Geldstrafe und/oder Gefängnis bestraft werden können und daß derartige wissentlich und vorsätzlich falsche Angaben die Rechtswirksamkeit der vorliegenden Patentanmeldung oder eines aufgrund deren erteilten Patentes gefährden können.

I hereby claim foreign priority under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed  
Priorität nicht beansprucht

24 August 2000  
(Day/Month/Year Filed)  
(Tag/Monat/Jahr der Anmeldung)

(Day/Month/Year Filed)  
(Tag/Monat/Jahr der Anmeldung)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Status) (patented, pending, abandoned)  
(Status) (patentiert, schwebend, aufgegeben)

(Status) (patented, pending, abandoned)  
(Status) (patentiert, schwebend, aufgegeben)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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**VERTRETUNGSVOLMACHT:** Als benannter Erfinder beauftrage ich hiermit den (die) nachstehend aufgeführten Patentanwalt (Patentanwälte) und/oder Vertreter mit der Verfolgung der vorliegenden Patentanmeldung sowie mit der Abwicklung aller damit verbundenen Angelegenheiten vor dem US-Patent- und Markenamt: (Name(n) und Registrationsnummer(n) auflisten)

Postanschrift:

Telefonische Auskünfte: (Name und Telefonnummer)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: (list name and registration number)

Michael E. Martin Reg. No. 24,821  
Akin, Gump, Strauss, Hauer & Feld, LLP  
P.O. Box 688

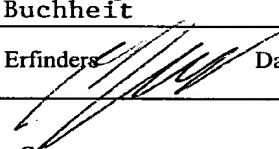
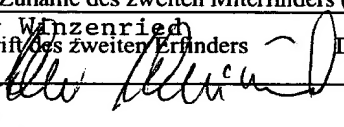
Dallas, TX 75313-0688

Send Correspondence to:

Michael E. Martin Customer No. 20594

Direct Telephone Calls to: (name and telephone number)

Michael E. Martin (214) 969-4630

Vor- und Zuname des einzigen oder ersten Erfinders Marcellus Buchheit	Full name of sole or first inventor
Unterschrift des Erfinders  Datum 2001-Jul-30	Inventor's signature Date
Wohnsitz Karlsruhe, Germany	Residence
Staatsangehörigkeit German	Citizenship
Postanschrift Kronenstrabe 30,	Post Office Address
D-76133 Karlsruhe, Germany	
Vor- und Zuname des zweiten Miterfinders (falls zutreffend) Oliver Winzenried	Full name of second joint inventor, if any
Unterschrift des zweiten Erfinders  Datum 2001-Jul-30	Second Inventor's signature Date
Wohnsitz Karlsruhe, Germany	Residence
Staatsangehörigkeit German	Citizenship
Postanschrift Ruppurrer Strabe 52	Post Office Address
D-76137 Karlsruhe, Germany	

(Im Falle dritter und weiterer Miterfinder sind die entsprechenden Informationen und Unterschriften hinzuzufügen.)

(Supply similar information and signature for third and subsequent joint inventors.)

**Practitioner's Docket No.**  
**125542-1001**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

☒ In re application of:

MARCELLUS BUCHHEIT  
OLIVER WINZENRIED

Application No.: 09/938,023

Group No.: 2131

Filed: August 22, 2001

Examiner:

For: PROCEDURE FOR THE PROTECTION  
OF COMPUTER SOFTWARE AND/OR  
COMPUTER-READABLE DATA AS WELL  
AS PROTECTIVE EQUIPMENT

**Commissioner for Patents**  
**Washington, D.C. 20231**

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
(REVOCATION OF PRIOR POWERS)**

As Assignee of the entire interest in the above identified patent application

**REVOCATION OF PRIOR POWERS OF ATTORNEY**

all powers of attorney previously given are hereby revoked and

**NEW POWER OF ATTORNEY**

the following attorney(s) and/or agent(s) are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith.

Matthew E. Burr, Reg. No. 37,591  
Daniel J. Chalker, Reg. No. 40,552  
Michael L. Coblenz, Reg. No. 41,492  
Kenneth T. Emanuelson, Reg. No. 46,684  
Edwin S. Flores, Reg. No. 38,453  
Jason R. Fulmer, Reg. No. 46,715  
Kenneth R. Glaser, Reg. No. 24,015  
John Timothy Headley, Reg. No. 31,765  
Todd E. Landis, Reg. No. 44,200

Michael E. Martin, Reg. No. 24,821  
Carol M. Nielsen, Reg. No. 37,676  
Ari O. Pramudji, Reg. No. 45,022  
Kay Lyn Schwartz, Reg. No. 39,020  
Theodore F. Shiells, Reg. No. 31,569  
Jennifer S. Sickler, Reg. No. 36,005  
Sanford E. Warren, Jr., Reg. No. 33,219  
Lawrence R. Watson, Reg. No. 31,891  
Thomas C. Wright, Reg. No. 47,189

of the firm of Gardere Wynne Sewell LLP

**SEND CORRESPONDENCE TO:**

Michael E. Martin  
 Gardere Wynne Sewell LLP  
 1601 Elm Street, Suite 3000  
 Dallas, Texas 75201-4761

**DIRECT TELEPHONE CALLS TO:** Michael E. Martin (214) 999-4052

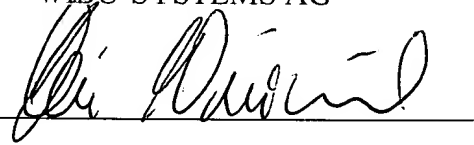
**ASSIGNEE STATEMENT**

Attached to this power is a STATEMENT UNDER 37 C.F.R. § 3.73(b) with respect to the application identified hereinabove.

Date: 2001, November 2<sup>nd</sup>

WIBU-SYSTEMS AG

by


**STATEMENT UNDER 37 CFR 3.73(b)**

Wibu-Systems AG states that it is the assignee of the entire right, title and interest in the below-identified patent application, by virtue of an assignment from the inventors of the patent application, a copy of which is attached hereto.

☒ In re application of:

MARCELLUS BUCHHEIT  
 OLIVER WINZENRIED

Application No.: 09/938,023

Group No.: 2131

Filed: August 22, 2001

Examiner:

For: PROCEDURE FOR THE PROTECTION  
 OF COMPUTER SOFTWARE AND/OR  
 COMPUTER-READABLE DATA AS WELL  
 AS PROTECTIVE EQUIPMENT

The undersigned (whose title is indicated below) is authorized to act on behalf of the Assignee.

Reel:

Frame:

2001, November 2<sup>nd</sup>  
 Date

WIBU-SYSTEMS AG

By:



Oliver Winzenried, Managing Director  
 (Printed Name) (Title)

OLIVER WINZENRIED, C.E.O.

### ASSIGNMENT

WHEREAS, WE, Marcellus Buchheit and Oliver Winzenried, citizens of Germany and residing at the addresses as stated below, respectively, have jointly made an invention entitled "Verfahren zum Schutz von Computer-Software und/oder computerlesbaren Daten sowie Schutzgerät" for which we have executed an application for United States Letters Patent on July 30, 2001; and we hereby authorize our attorneys, authorized to prosecute said application, to here insert the filing date and serial number of said application, when known:

Filed: August 22, 2001 Serial No. 09/938,023

WHEREAS, WIBU-SYSTEMS AG (hereinafter referred to as ASSIGNEE), a corporation organized under the laws of Germany having a place of business at Ruppurrer Strabe 52-54, D-76137 Karlsruhe, Germany, is desirous of acquiring the same;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by us, we have assigned, sold, transferred and set over and by these presents do assign, sell, transfer and set over unto said ASSIGNEE the entire right, title and interest in and to (a) said invention; (b) said application, including all divisions, continuations and substitutions thereof; and (c) all United States patents which shall issue on said invention, including all reissues, renewals and extensions thereof, for the United States, its territories and possessions, the same to be held and enjoyed by said ASSIGNEE, its assigns and successors, as fully and entirely as the same would have been held and enjoyed by us, had this assignment not been made.

We jointly and severally covenant and agree that we will, at any time upon the request and at the expense of said ASSIGNEE, execute and deliver any and all papers and do all lawful acts that may be necessary or desirable, in the opinion of said ASSIGNEE, to enable and assist said ASSIGNEE to (a) obtain United States Letters Patent on said invention; (b) establish, maintain and secure title in said ASSIGNEE, its successors and assigns, to said invention, application and said Letters Patent, including making such title of lawful public record; and (c) defend, establish or otherwise preserve the validity of said Letters Patent against any and all infringers, and perform such other acts as are necessary to give full force and effect to this assignment.

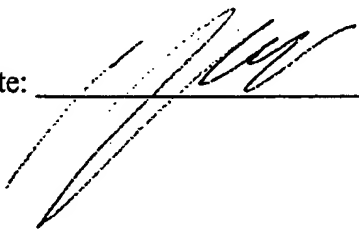
We hereby authorize and request the Commissioner for Patents of the United States to issue all Letters Patent based on said application and each division, continuation, substitution, reissue, renewal and extension thereof to said ASSIGNEE, its successors and assigns.

Each of the undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or

imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

IN TESTIMONY WHEREOF, we have duly executed this assignment on the dates as indicated next to our names.

Date:

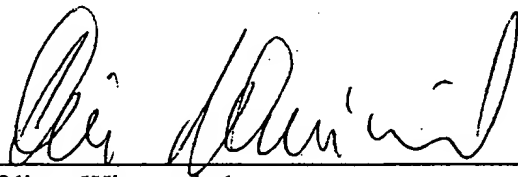


↪ 200A-Jul-30

Marcellus Buchheit  
Residence Address:  
Kronenstrabe 30  
D-76133 Karlsruhe  
Germany

Date:

2001-July-30



Oliver Winzenried  
Residence Address:  
Ruppurrer Strabe 52  
D-76137 Karlsruhe  
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